

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STACEY STANTON,

Plaintiff,

v.

METRO CORP.,

Defendant.

Civ. Action No. 04-10751-FDS

AFFIDAVIT OF JON MARCUS

I, Jon Marcus, do hereby depose and say:

1. I am the editor of *Boston* magazine. I have served in this role since 2001. I reside in Boston, Massachusetts. I base this affidavit in part on my personal knowledge and in part on information available to me as editor.

2. *Boston* magazine, a monthly general-interest magazine, is published by Metro Corp., a Pennsylvania corporation. *Boston* magazine's offices are located at 300 Massachusetts Avenue in Boston, and Metro Corp. has no place of business in Massachusetts other than in Boston.

3. In its May 2003 issue, *Boston* magazine published an article entitled "The Mating Habits of the Suburban High School Teenager" (the "Article"), along with a photographic essay.

4. The Article was researched, written, and edited in the greater Boston area. The layout and graphic design for the article and its accompanying photographic essay were determined at the magazine's offices in Boston. None of the work involved in producing the Article and the photographic essay took place in Worcester County.

5. All employees of *Boston* magazine who have personal knowledge regarding the publication of the Article and photographic essay work at the magazine's Boston offices, and reside in the immediate vicinity of Boston. None reside in Worcester County.

6. Virtually all of the documents and tangible items concerning the publication of the article and photographic essay that are within Metro Corp.'s possession, custody, or control are maintained at the magazine's Boston offices. None are located in Worcester County.

Signed under the pains and penalties of perjury this 31st day of December, 2004.



Jon Marcus